PATENT APPLICATION

042390.P12396

<u>Request for extension of time under 37 C.F.R. §1.136</u>

Assignee herewith petitions the Director of the United States Patent and
Trademark Office to extend the time for response to the Office Action dated March
24, 2003 for 3 month(s) from July 24, 2003 to September 24, 2003.

Please charge Deposit Account #02-2666 in the amount of:

_____	($110.00 for a one month extension)
_____	($410.00 for a two month extension)
_X_	($930.00 for a three month extension)
_____	($1,450.00 for a four month extension)

to cover the cost of the extension.

Remarks

Reexamination and reconsideration of this application, as amended, is
requested. Claims 1, 3-10, 12, and 16-21 remain in the application and claims 2,
11, 13-15, and 22-34 are hereby canceled without prejudice. No new claims have
been added.

Applicants believe there is no charge for this response because no new
claims have been added.

Support for Amendments

As indicated above, claim 1 has been amended to include some features of
claim 2 as originally filed and claim 10 has been amended to include some features
of claims 11 as originally filed.

In addition, the specification has been amended to correct other minor and
inadvertent grammatical errors. This amendment is directed strictly to matters of

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form and, therefore, does not affect the scope of the claims or create any prosecution history estoppel.

Applicants respectfully submit that no new matter has been added.

Response to the 35 U.S.C. §102(b) Rejection

The Office Action rejects the claims remaining in the application under 35 U.S.C. §102(e) as being anticipated by Cherabuddi (US Pub No. US 2002/0184445) or under § 103(a) as being obvious in view of Cherabuddi and Kirk (US 5,875,464). Applicants believe this rejection has been overcome in view of the amendments made above and the remarks that follow.

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Office Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Office Action has not succeeded in making a prima facie case.

Applicants begin with claim 1. Claim 1 specifically recites:

"1. An apparatus comprising:

a memory array having a first portion and a second portion, the first portion of the memory array being different than the second portion of the memory array, wherein the memory array is adapted such that the first portion of the memory array is accessible only by a first processor and the second portion of the memory array is accessible only by a second processor, wherein the memory array further comprises a third portion that is different than the first portion and the second portion, the third portion of the memory array accessible by both the first processor and the second processor."

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Without conceding the appropriateness of the combination, it is respectfully asserted that, as one example, both Cherabuddi and Kirk fail to meet either expressly or inherently the limitation that a memory array include a portion accessible by two processors.

As admitted in the Office Action on page 7, paragraph 13, Cherabuddi does not teach or suggest this feature. In addition, Applicants would like to respectfully point out that Kirk does not teach or suggest this feature either. The Office Action relies on column 13, lines 26-67, of Kirk to teach this feature. However, Applicants would like to respectfully point out that in this portion of the text, Kirk is referring to separate task, not processors. Kirk teaches that the task are software routines that at times need information. In contrast, Applicants' claim 1 recites multiple processors that are able to access the third portion of the memory. Kirk does not contain any teaching or suggestion of two or more processors accessing the same portion of memory.

Since Cherabuddi and Kirk, taken separately, are devoid of any teaching or suggestion of the limitations recited in claim 1, the combination of Cherabuddi and Kirk must necessarily be devoid of the required teaching or suggestion of all the elements recited in claim 1. Consequently, the combination cannot make Applicants' claim 1, or its dependent claims, obvious.

Applicants would like to emphasize that the preceding paragraphs were not intended to attack Cherabuddi and Kirk separately. But instead, Applicants have shown how each is devoid of claimed elements so that, by default, the combination is also devoid of at least some of the features of Applicants' claimed invention.

With respect to claim 10, Applicant would like to point out that it has been amended to recite the presence of a bus to make a portion of the memory array directly accessible to the processors. In contrast, Cherabuddi teaches the use of a

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cache access circuit 22 that is between the CPUs 21a-b and memory partions 23 a-b. Thus, Cherabuddi cannot teach or suggest at least this feature of claim 10. Accordinly, Applicants respectfully submit that claim 10, and its dependent claims, are not anticipated by Cherabuddi.

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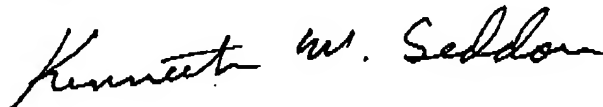PATENT APPLICATION

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Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed March 24, 2004, and it is submitted that claims 1, 3-10, 12, and 16-21 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of amended claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.6 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 554-9732 is respectfully solicited.

Respectfully submitted,

Eugene Matter et al.

Kenneth M. Seddon
Assistant Director
Reg. No. 43,105

Dated: 9-21-03

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